

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

ADAMS LAND & CATTLE CO.,)	
)	
Plaintiff,)	8:06CV486
)	
v.)	
)	
THE HARTFORD FIRE INSURANCE)	ORDER
COMPANY, HEATH LAMBERT GROUP,)	
CATLIN SYNDICATE LIMITED,)	
DORNOCH LIMITED, WELLINGTON (FIVE))	
LIMITED, and STEPHEN DALE MATHERS,)	
)	
Defendants.)	
_____)	

This matter is before the Court on the notice of intent to issue subpoenas duces tecum (Filing No. 80) filed by the defendant The Hartford Fire Insurance Company and the plaintiff's objections to that notice (Filing No. 83). The plaintiff objects to the definitions used by said defendant as it violates NECivR 33.1(b). While that rule deals with interrogatories, the Court believes that it represents the policy of this Court as it would apply to a deposition subpoena duces tecum. However, defendant Hartford's definitions are overly broad and burdensome and probably will result in the production of many documents that are not relevant to the issues in this case.

The Court will not prohibit The Hartford Fire Insurance Company from issuing the proposed subpoenas duces tecum but will require that the defendant narrow the scope of its proposed subpoenas so as to limit the production to issues raised in this

case. Therefore, the Court will sustain the motion to quash the issuance of the subpoenas duces tecum without prejudice to defendant The Hartford Fire Insurance Company renewing its notice provided that more reasonable limitations are placed on the scope of the documents sought.

If after a further definition is presented, it appears that a protective order should issue, the Court will require the parties to enter into a protective order to protect the confidentiality of such documents as are in need of that protection. Accordingly,

IT IS ORDERED that plaintiff's objections to defendant's notice of intent to issue subpoenas duces tecum is sustained.

DATED this 23rd day of April, 2007.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court